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Attorney Docket No. (0320-0015) HOOV 115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Michael D. Hooven

Serial No.: 10/015,346

Filed: December 12, 2001

Group Art No.: 3739

Examiner: Rosiland S. Kearney

For: TRANSMURAL ABLATION DEVICE
WITH CURVED JAWS

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FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application. A copy of each of the documents except the published application of U.S. Patent Application Serial No. 10/032,378 is provided in U.S. Patent Application Serial No. 10/032,378, which is relied upon for an earlier effective filing date of the present application under 35 U.S.C. 102, and accordingly is not enclosed. The published application of U.S. Patent Application Serial No. 10/032,378 is enclosed for the Examiner's reference.

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No inference should be drawn that any method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.


Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

This Fifth Supplemental Information Disclosure Statement is being filed after the mailing date of a first Office Action on the merits but before a final action or an action that closes prosecution. Accordingly, authorization is hereby given to charge Deposit Account 50-1039 the amount of \$180.00, the fee for the submission of this Information Disclosure Statement, along with any additional fee that may be required. (A duplicate of this document is enclosed herewith.)

Date: September 18, 2003

Respectfully submitted,

By:


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